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SUBMISSION  
to the  
ROYAL COMMISSION ON  
BILINGUALISM AND BICULTURALISM  
by the  
Canadian Council of National Groups

JUNE 1964

280 QUEEN STREET WEST, TORONTO 2B, ONTARIO





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## SUBMISSION

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### ROYAL COMMISSION ON BILINGUALISM AND BICULTURALISM

BY THE CANADIAN COUNCIL OF NATIONAL GROUPS\*

1. The Canadian Council of National Groups welcomes this opportunity to place our views and proposals before members of this Commission.

2. We regard your study, deliberations and final report of great significance for the high hopes and aspirations of the Canadian people.

3. We know of no comparable instance in the 97-year history of Confederation when a warrant of authority from the Government carried such heavy responsibility in respect of the extraordinary problems that beset our country and people. While it would be premature to attempt to assess the full implications of your work and final judgment, there is no question that it will be considerable upon the course of coming events.

4. We therefore believe that this Commission has the capacity for unparalleled service to the country. You can make a contribution of historic proportions to the unity and strength of Canada by shedding a brave new light on the existing conflicts within Confederation today. We are hopeful that your efforts and conclusions, given such deter-

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\* MEMBERS OF THE C.C.N.G.: Association of United Ukrainian Canadians; Federation of Russian Canadians; Federation of Yugoslav Canadians; Polish Democratic Association; Society of Carpatho-Russian Canadians; United Jewish Peoples Order; Macedonian Peoples League; Lithuanian Literary Society; Bulgarian Peoples League; Slovak Benefit Society; Finnish Organization of Canada; Hungarian Kossuth Society.



mination, can provide a sense of urgency and direction in the search for bold and imaginative answers at this crucial juncture in our history.

5 We believe that the goals of the inquiry deserve a sharper definition. The general impression exists that the chief concern of the Commission is with the study of language and culture. Such an impression, in our opinion, helped to create confusion and unclarity in the early and succeeding stages of the public debate.

6 The official designation of the Commission, as one on Bilingualism and Biculturalism, has contributed to the confusion. It has tended to obscure the larger role that historical necessity assigns to your purpose.

7 This is further compounded in the opening words of the preamble to your terms of reference: "to inquire into and report upon the existing state of bilingualism and biculturalism in Canada . . ." The extent to which French Canadians and English-speaking Canadians can learn and better understand each other's language and culture is not the main problem.

8 We believe that the key to the scope of the study lies in the closing words of the sentence: "and recommend what steps should be taken to develop Canadian Confederation as the basis of an equal partnership of the two founding races."

9 While registering our exception to the objectionable use of the word "races", we regard this as the touchstone of the inquiry.

10 The prevalent misconceptions as to the real purpose of the inquiry, if allowed to continue within the exclusive meaning of language and culture, will only restrict and inhibit the response of the public and, consistent with this, the findings of the Commission itself.

11 It is for this reason that we regard the attempts to reduce the whole study to one of language and culture as an evasion of the real issues involved in the crisis of Confederation.

12 We ascribe a far broader purpose to the work of this Commission. The real meaning of the preamble, for us, is in its responsibility for finding ways and means of enabling two nations to live together as equals within one state — in other words, unless two nations

(French Canada and English Canada) are recognized as having an historical existence, at the outset, the work of your Commission cannot escape confusion — not only of terms, but of ideas.

13 Unless this is done, and carried through with a sense of history, the Commission will have defaulted on its role and responsibilities. It will have failed to signalize the need for a new democratic union of the Canadian peoples that is so essential to our survival as a bi-national state in Canada's second century.

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14 The task is not an easy one — but the challenge is unmistakable.

15 Ever since 1867, we have looked upon Quebec as the keystone of Confederation. The historical essence of this is just as true today as it will be tomorrow. What is new, however, is the jarring impact of twentieth century developments on existing relationships within the federal system.

16 The keystone of Quebec is shaky and uncertain within the present state structure. There are growing signs that it might dislodge itself under the pressures of modern conditions.

17 The truth is that the state structure, created by Confederation 97 years ago, no longer serves the best interests of the country as a whole, and is in real danger of coming apart at the seams.

18 There is the disquieting prospect of partition or fragmentation, unless we do something soon to prevent it.

19 We share this concern with many Canadians, together with their conviction that it is time the country faced up to the issue. It is our earnest hope that the Commission, mindful of all that is at stake and of the need for forthright action, will be most helpful and constructive in bringing this about.

20 There is a deep and encrusted resistance to a confrontation with the issue. It exists in high places of authority, and in many places of public leadership and responsibility. We believe that the issue is soluble, that it can be resolved in the best interests of Canada. But it must be faced. We cannot ignore or evade it any longer

— not without serious consequences for the country and for our future.

21 There are those who are truculent in their opposition to any change in the existing relations between French and English Canada. They stubbornly deny the existence of the French fact in Canadian life. Others persist in asking, rather paternalistically: "What is it that Quebec wants?", deaf to the thundering chorus from French Canada. Still others believe they can close their eyes to the reality of the French national question and pretend that it isn't there. But history teaches us that problems will not go away just because we refuse to see them, or because we refuse to admit that they exist.

22 Nor will the practice of name-calling, or the emotional use of petty labels, resolve the difficult questions now threatening the unity of the country.

23 It is time that Canadians outside Quebec realized that our compatriots in French Canada are in earnest. They are no longer prepared to live with the B.N.A. concept of Quebec — the concept of just another province. Unless we recognize that Quebec is different from all the other provinces in Confederation, as different as English Canada is from Quebec, there will be serious trouble. For the French Canadians — the Canadiens — all talk about the equality of the two founding peoples is meaningless so long as Quebec continues to be regarded as one of ten provinces.

24 They are demanding recognition of their status as a nation. They see this recognition in a Confederation of two nations and not one of ten provinces.

25 What the French Canadians are asking is a new deal within Confederation — one that will settle the age-old problem of inequality.

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26 Quebec is not just another province. Nor are the French of Quebec just another (albeit the largest) national grouping among many in Canada. It is wrong and totally misleading to compare them, as a national community, with the German, Italian, Ukrainian and other national groups.



27 The French in Canada are a nation, not a spiritual abstraction. They are a definite community with certain characteristics in common: language, territory, economic life and culture. It is a combination of all of these characteristics that defines a nation.

28 It is important to note that the concept of statehood does not enter into this definition. In popular usage the term "nation" is often used to mean "sovereign state". The fact is that nation and state are distinct categories. The national community tends to strive for independent statehood, but these aspirations do not always lead to the classic form of national state (one nation, one state). Nor do state and national boundaries always co-incide.

29 The five-and-a-half million French Canadians in Quebec and in the adjoining areas are an historically evolved community, established and stable, with a common language, territory, economic life and culture. Those of them who live in French Canada should be members of the French Canadian political state — we hope, within a new Confederation. French Canadians outside of Quebec are, of course, of French Canadian nationality, but dwellers in the English Canadian state. We believe that French Canadians in English-speaking Canada should enjoy the same rights of language and culture as do English-speaking Canadians in Quebec.

30 The French Canadian community possesses all the necessary characteristics of a nation. The majority of these characteristics do not apply to the German, Ukrainian, Italian, Polish, or any other national groups of non-French and non-English origin. And yet, without all these elements being present in the make-up of a people, no group can regard itself or expect others to regard it as a nation.

31 Canada is not just a collection of ten provinces — no more than she is a conglomerate of various national groupings. The fact is that Canada is made up of two nations. Unfortunately for us, at this stage of our history, one is unrecognized while the other is not deeply convinced of its own existence. But national communities, like the state structure, are products of history.

32 It is in this sense that our Council, representing twelve national organizations in cultural communities of other than French and English origin, understands the various national groups as integral parts of the English and French nations.

33 The duality of our national character and culture, and the state system as we know it today, is the heritage of prolonged conflict between France and England. The wars between the French and British in North America culminated in 1759-60, in the overthrow of French power in the St. Lawrence Valley. For the 70,000 French inhabitants of that period, British conquest marked the starting point of what remains to this day the struggle for survival as a nation.

34 It is proper to remind ourselves, in view of some pretentious counter-claims to those of Quebec, that Canada's beginnings were French. The French fact has been here for more than 200 years. It is not the invention of dissidents and extremists, but an assertion of history.

35 Out of the struggle between the English and French, and later the British and American forces, Canada sought to assert her own destiny as a country of two nations. This struggle found its legal expression in the Quebec Act of 1774.

36 The Quebec Act recognized the national character of the French Canadian community on the St. Lawrence, thereby ensuring its loyalty and allegiance to Britain. At the same time it sought to make such national survival contingent on the retention of feudal absolutism. The Act was, in effect, an agreement between Britain and the Catholic Church in the former French colony. By its terms, the Church would retain its power, the French language, customs and the feudal land system, in return for a pledge of loyalty to the British Crown.

37 The key to the Quebec Act is to be found in the conditions that arose out of the American Revolution. In the debates that led to the adoption of the Quebec Act, Boston and Philadelphia no less than Montreal and Quebec, haunted the thoughts of the imperial legislators. They were motivated by the need to establish a secure place d'armes as a bastion of British power in North America.

38 The Rebellion of 1837 in Lower Canada fused with the struggle for the preservation of French Canada's right to exist as a nation. While the Quebec Act implied legal recognition of this right, in actual practice it was constantly in peril. Growing control of the fur trade, of timber, fisheries, and other areas of trade and commerce by the English, repeatedly threatened the French Canadians with forcible submergence as a nationality.



39 As early as 1806, the Patriot newspaper *Le Canadien*, raised the slogan of "Notre langue, nos institutions et nos lois": Our language, our institutions and our laws.

40 Long before the passage of the British North America Act in 1867, there were repeated efforts to obliterate the French nationality.

41 In 1822, Lord John Russell proposed a Union Bill that called for the abolition of the French language in the debates and acts of the Assembly, and which provided for a smaller representation from Lower Canada than Upper Canada, despite the greater population of the former province. Strong protests caused this legislation to be put aside.

42 In 1839, Lord Durham made forcible anglicization one of the main proposals of his celebrated Report. While recommending responsible government for the colony, he also proposed the suppression of French Canadian rights. In the Act of Union of 1841, the Imperial authorities rejected the first proposal and accepted the latter.

43 The Act of Union was designed to carry out Durham's policy of anglicization: "settling at once and forever the national character of the province . . . The first object ought to be that of making it an English province . . . The ascendancy should never again be placed in any hands but those of an English population."

44 The French Canadians saw the Act of Union as a new, forcible annexation: Lower Canada ceased to exist as a separate province; the use of the French language was banned in the Assembly and Government of the Province of Canada; and the English Canadian minority was accorded the lion's share of representation.

45 Strong pressure by the English and French Canadians caused London to abrogate that clause in the Act of Union that denied official recognition of the French language. But it took seven years of protest by the people in the colony to compel this recognition.

46 Where the French Canadians faced a grave threat to their national identity and survival while still a majority of the population, there was even greater cause for anxiety after the influx of new settlers (30 to 50,000 in the wake of the American Revolution) made them a minority. Nor has this anxiety diminished in our day. If anything, it has become more acute.

47 In 1866, after it became clear that Quebec was capable of surviving as a cultural entity, even under British colonial rule, it was decided to make Quebec's destiny that of a permanent and oppressed minority inside a nominally bicultural state. But biculturalism and bilingualism were foisted, of all the provinces, on Quebec alone.

48 The British North America Act of 1867, which created the modern Canadian state with the establishment of the Dominion of Canada, provided this framework. While it gave a measure of recognition to French Canada as a nation, it did not guarantee national equality with English Canada. Thus the people of French Canada have always been kept in a state of inequality with the rest of Canada, while receiving limited recognition and concessions.

49 The people of French Canada are not asking for more concessions. Instead, they are demanding recognition of their status as a nation and, with this recognition, the establishment of full national equality between themselves and English Canada.

50 Their demands have been clearly formulated by "Le Devoir", a daily newspaper in Montreal, whose editor-in-chief is also co-chairman of this Commission. The editorial (July 29, 1963) states, in part:

"French Canadians are in broad agreement on this: there are not only two 'cultures' but two distinct nations, and it is in terms of that datum that the new constitution must be built; the existence of two nations instead of ten provinces must be juridically consecrated. The French Canadian nation has its own state, Quebec, which, to achieve its mission fully must progressively take over complete autonomy. 'Masters in our own house' is achieved step by step, but it does not stop at this or that step. There is no cut-rate exercise of the control of our destiny.

"Full autonomy means, in addition to the powers already held, all social security (including family allowances and old-age pensions); the whole field of culture (including television, radio and cinema); the whole field of justice (with the court of last resort inside Quebec); full fiscal autonomy (with priority of access to all sources of revenue) — that, in short, is what is known as complete internal autonomy.



"And in the field of external sovereignty there must be at least freedom of action and freedom to have an international personality in all that stems from the nation: education, cultural affairs, civil law, social security and labour. In short, no longer ten semi-autonomous provinces, united under a 'strong' central government, but two nations totally mistresses of their destinies internally, and for the rest freely associated — in rigorous equality. That is probably Quebec's minimum demand."

67 Most of these demands are repeated, in varying degrees, by many spokesmen and leaders of French Canadian thought and opinion. They all add up to the same thing: French Canadians want to be masters in their own house; in charge of their own affairs; and able to determine their own fate.

62 They are prepared to be partners in a Canada of two equal nations — but not as a minority. If they cannot attain equality as a nation, then they want separate status in which they can be the majority, and through the sovereign powers of which they can realize their national aspirations.

63 The French Canadians are asking for a new deal within Confederation.

57 The response of the Government leadership in Ottawa is most disappointing. It is summed up in a call for "co-operative federalism" — for greater co-operation within the present federal system. Many critics have correctly described this ambiguous phrase as pious and devoid of any real meaning. The idea expressed by "co-operative federalism" ignores the very thing that frustrate the national aspirations of the French Canadian people. It is, in effect, a plea for co-operation within the unitary state — a continuing denial of sovereignty for the French Canadian nation.

58 Strangely enough, the Government extols federalism at a time when federalism is anathema to the French Canadians. Even in the 1865 debates, "federation" and "confederation" were highly disputed terms in the discussions that shaped the union. The British North America Act, inasmuch as it established a federal system instead of a legislative union, represents a significant concession to the French Canadian demand for autonomy. But what the Act of 1867 produced

was not a confederacy, but a federal state. Supranational arrangements, such as a confederation, can only be undertaken successfully if, and only if, the parties to the arrangement are in it voluntarily and are not subjected to duress by majority groups.

54 M. Rene Levesque, Quebec's Resources Minister, recently alluded to this question. He expressed the view that we are not living in a Confederation, but a federal system in which the provinces are nothing more than partial states. Such a system could only deny Quebec her status as a national community, and her aspirations for sovereign rights.

57 M. Levesque declared, in this same speech, that only status as an "associate state" can satisfy Quebec within Confederation. The role of an "associate state", in his view, would allow Quebec to meet the aspirations of French Canada within the framework of an association with the rest of the country.

58 If this status is denied, he warned, then Quebec will have to find a solution outside of Confederation. The Levesque proposal for an "associate state" immediately evoked charges of extremism and treason by people who should know better. One federal minister even indulged in an abusive tirade against the idea and its spokesman.

59 There is nothing extreme or treasonable in the proposal for an associate state. Those who squirm and lash out at the idea are the same people who refuse to face up to the question of equal partnership within Confederation. We submit that partnership implies the association of two equals with essential goals in common. It also implies the right of either partner to withdraw from a pact in which these goals are frustrated or violated, and where no other solution is open or acceptable.

60 This, in essence, is the right of self-determination. It is the ultimate expression of a nation's right to freely choose its own form of state. Unless this right is recognized at the very outset, for each of the two nations, there can be no voluntary union worthy of the name.

61 Supporting such a right, up to and including cessation, does not automatically mean the advocacy of separation. While recognizing this right of the French Canadian people, its exercise is a matter for them to decide. We believe that once this right is recognized, it will



help to clear the way toward the most democratic solution for all Canadians. Separatism is not an end in itself. But it could result from the single-minded pursuit of what is very much an end in itself: the development of an integrated, modern state-directed Quebec economy in the context of a flourishing French culture.

62 It is equally wrong to assume that French Canada has no choice but to remain inside Confederation, or else face the alternative of economic ruin and political disaster.

63 We do not favour separation as a solution that would serve the best interests of either French or English Canada. We feel that such terminal action would be fraught with many dangers for the people of one nation and the other. We are convinced that two separate states outside of Confederation, with the Maritimes isolated, would encounter great difficulties in withstanding pressures of the United States for economic and political annexation.

64 The answer lies in a Canada, united from coast to coast, with the two nations living in co-operation, friendship and equality. Canada can only be as strong as the unity of its main parts. Our first concern is with the strengthening of this unity. Without it, the future of this country is in grave danger.

65 We therefore regard the problems of the two-nation state as the key issue before the Commission. An understanding of this peculiar, historically evolved fact of Canadian life, especially as we contemplate it 97 years after Confederation, is fundamental to an understanding of all other questions of national unity.

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66 As representatives of fraternal and cultural organizations in a number of national group communities, and which comprise an important element in the life of both English and French Canada, we welcome the Commission's intention to take "into account the contribution made by other ethnic groups to the cultural enrichment of Canada" and to consider "the measures that should be taken to safeguard that contribution."

67 Out of a total population of 18,238,247, as listed in the 1961 census, the ethnic origins are as follows:

|                                 |           |
|---------------------------------|-----------|
| British Isles .....             | 7,996,669 |
| French .....                    | 5,540,346 |
| Native Indians and Eskimo ..... | 220,121   |
| All others* .....               | 4,481,111 |

68 The statistics show that 92 percent of our population is composed of immigrants and their descendants. With the exception of the native Indians and Eskimos, it can truly be said that “we are immigrants all” in Canada — actual or through our forefathers who came from many lands.

69 From the very beginning, immigration has been the major source of the Canadian population. There is every indication that this will be so in the future.

70 More than six million immigrants have come to Canada since the turn of the century. More than two million of this number came here since 1945. But it must be noted that immigration in this century came to a nation already in existence. They were absorbed by the English and French national communities.

71 One quarter of the present population, nearly four-and-a-half million Canadians, are of other than British and French origin. They have been and continue to be a physical and spiritual factor of some consequence in Canadian growth and development.

72 They comprise the various communities that are known today as national groups or ethnic groups. Because of their considerable weight and contribution in Canadian life, they require a proper assessment of their relationship to the national question. This relationship has been interpreted in many ways and has given rise to numerous theories on the role and place of ethnic groups in Canadian life.

73 There are those who regard Canada, in the light of our immigration, as a country of “many nations”. The implication is that we are a multi-national state. The idea of “many nations” is also the basis for the theory of the “mosaic” — a concept of the country as a mosaic of these “many nations”.

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\* 1,049,599 German; 473,337 Ukrainian; 450,351 Italian; 429,679 Netherlands; 386,534 Scandinavian (Danish, Icelandic, Norwegian and Swedish); 323,517 Polish; 173,344 Jewish; 121,753 Asiatic; 119,168 Russian; 711,320 other Europeans; 242,509 other and not stated.



74 Now a new theory has been advanced since the Commission began its work. This is the doctrine of the "third force". It projects the idea that, in addition to the two national "forces" (English and French), there exists a "third force" (the totality of the ethnic groups).

75 All of these theories are false and misleading. They only obstruct any serious effort to understand the national question in Canada.

76 We have already stated our position that Canada is not a country of "many nations"; and that ethnic groups are not nations. To see the national groups in any other light is to see them in contradiction with the nation of which they are an integral part.

77 The theory of the "mosaic" is just as misleading. It conceives of the ethnic groups as static and separate parts of English and French Canada — permanent little islands of immutable cultural values. This is not our view. Instead, we see the national groups as cultural communities that are essential and dynamic components of the general cultural process.

78 The theory of the "third force" is similarly fallacious. It implies the existence and identity of a homogeneous power. Such a force does not exist except in the rhetoric of certain individuals. The theory attempts to create the illusion of three equal partners — equating the parts (national groups) with the whole (English and French Canada). More pertinently, the term is a propaganda gimmick that is loaded against the French Canadians (especially on the language issue). We regard this theory as chauvinistic and harmful to any real appraisal of the national groups.

79 The various cultural communities can only be understood within the meaning of the two nations that make up Canada, and of which they are cohesive parts. Unless they are seen in this relationship, then the contributions and problems of the national groups cannot be properly and fully assessed.

80 It is also necessary to take into account the far-reaching changes in the content and psychology of the national groups since they were solely or largely communities of foreign born at the turn of the century. They are no longer the homogeneous communities that were shaped by the conditions of that period in our history. Successive

generations of native born, now in the ascendancy, have fundamentally altered the characteristics and role of these communities.

81 These ethnic groups, both large and small, and presently made up of 60 to 70 percent native born, are a substantial part of English Canada (one-third of the population). There is a rising incidence of inter-marriage among their children who cannot be designated as other than Canadian by national origin. This very natural process helps to develop a stronger Canadian identity.

82 With each succeeding generation of Canadian born, the English language is the primary language — and the language of the forefathers is lost.

83 The tightly knit language communities are a phenomenon of large-scale immigration in a by-gone era. The whole direction of development has changed and is continuing to change. The technological revolution, and the urbanization of the population, have had a great influence on the whole course of development.

84 It must be recognized that the ethnic groups continue to play an important role in the evolution of the psychological make-up of English Canada, and in the development of a national consciousness that is distinct from the British and American.

85 The character and substance of these communities evolved, from the very beginning, in the climate of political, social and economic discrimination.

86 Discrimination in Canada is the product of the British "conquering race" psychology. It regards the native Indian and Eskimo peoples as "the white man's burden"; the French as a conquered and subjugated people; and others from Asia, Central and Eastern Europe, as backward and inferior "hewers of wood and haulers of water". Anglo-Saxon chauvinism, in its galling arrogance, has all the earmarks of "a white Canada policy". It continues to regard all those of British origin as the chosen people. How else can we explain the severe restrictions on the entry of coloured peoples to this country?

87 There are many subtle and insidious forms of discrimination which deny Canadians of non-British origin the equality of opportunity. Too frequently for many Canadians, foreign-sounding



names are still a drawback to advancement in commerce, industry, government and professions.

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88 The contribution of the foreign born has been massive and monumental. This is particularly true of the immigrants who came here many decades ago. They came from the continents of Europe and Asia, willing and anxious to work, and in search of freedom and new opportunities for themselves and their children.

89 They came to a strange land, knowing little of the country beyond the promises they had heard and the dreams they carried. Many were illiterate, and almost all of them could not speak the language of their adopted land.

90 They came here the poorest of the poor, possessed of little more than their stout hearts, a willingness to work, a profound love of the land, and their youth. These were the attributes with which they faced an epic challenge — and met it, going far beyond the immediate demands of family life alone.

91 When the transcontinental broke through the wilderness to link east and west, it became the road of advance for English Canada. There were less than 60,000 people of European origin in these parts of the country when the railways were laid in the early 80s. Many of those who came to the new life of the frontier despaired of meeting the harsh challenge that it presented.

92 When the Dominion government offered free homesteads to all those willing to settle on the prairies in the mid-80s, less than 20,000 took it up over a period of ten years. More than half of them finally abandoned their isolated holdings in the prairie wilderness and returned to Ontario and the United States.

93 Thirty years after the Fathers of Confederation met in Charlottetown in 1864, the anticipated rush of settlers to the prairies failed to materialize. The untamed Northwest continued to challenge and harass the dream of a Canadian nation that would span the continent from ocean to ocean. The brazenly open ambitions of U.S. annexationists for the acquisition of this territory was a constant source of concern and made settlement a major issue of Canada's future and security.

94 Immigration settled that issue. This is what tipped the scales in favour of tremendous Canadian growth and development. Its impact has been and remains considerable; its imprint everywhere in English Canada.

95 Theirs was a life of sweat and tears, and of back-breaking labour. But the forests were felled, the swamps drained, the roads and railways and cities built. In their rough hands the raw materials of Canada took shape, together with the dreams of an emerging nationality.

96 By the right of their work, by the citizenship of their labour, they became an inseparable part of that nationality. Article 15 of the Universal Declaration of Human Rights declares that:

- "1. Everyone has the right to a nationality.
2. No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality."

97 The Right of Citizenship is fundamental in a democratic society.

98 It is the recognition by the state of the individual's nationality of identity and the inviolable right of the person to claim and enjoy the basic freedoms of the society of which he is a responsible member.

99 The shocking truth is that thousands of immigrant people in this country have been denied the Right of Citizenship by successive governments. These people have been "arbitrarily deprived" of their nationality.

100 Thousands of foreign born have been and continue to be the victims of gross political discrimination.

101 Case histories in our files show that this discrimination against the foreign born has been in effect for at least thirty-five years. That such discrimination existed, was being practiced by the state under successive governments, has been known for many years. Unfortunately, very little could be done about it until recently. The victims of this political discrimination were frightened and confused, and would not identify themselves with any public campaign for their rights through fear of reprisals. Many of them were concerned with the prejudicial effects of their situation upon their children and

grandchildren. Others were afraid that any public action on their part might harm the employment and educational opportunities of their sons and daughters, or endanger their job tenure. For these — and other reasons of intimidation — the policy of discrimination was operated in a conspiracy of silence.

/02 Many of the discriminated are now in their sixties and seventies. A large number have made their contribution in the work force of Canada and are now retired. Their children have grown up and have established their own families. Perhaps for this reason, more than any other, many of the discriminated decided to finally identify themselves with a public fight for their rights.

/03 An additional factor has been the desire by many of them, in the sunset years of their lives, to visit the lands of their birth. They would like to see, in the closing years of their life, what remains of their friends and families in the old homeland.

/04 Finally, a great number have come to their decision because of their outrage at the large number of unrepentant fascists and nazi collaborators who were readily granted citizenship, while they continue to be denied.

/05 The discriminated are men and women who chose this land for their own — thirty, forty and fifty years ago. They are honest, decent, hard-working people who have lived and laboured in this country since their youth. They have given the best years of their lives to their adopted land. They have raised Canadian families of two and three generations during their lifetime. Not a few of them served with the Canadian armed forces during the war years.

/06 Despite the fact that a person may have entered Canada lawfully, many years ago, may have served in Canada's armed forces; may have raised his family here and contributed greatly to the building of his country; nonetheless, under the provisions of the "Immigration Act", his right to live out his life in Canada is forever uncertain once citizenship is denied.

/07 They were among the pioneers and builders who were honoured in the fiftieth anniversaries of Alberta and Saskatchewan in 1955, and in the centenary of British Columbia in 1958. They will be among the pioneers and builders whom this nation will salute during the Canadian centenary in 1967.



108 By every measure — including the right of law, they are Canadians who are fully entitled to the rights and privileges of citizenship.

109 What is the basis for this policy of discrimination against thousands of people of immigrant origin?

110 The basis for the arbitrary denial of citizenship status does not lie in the law of the land. Rather, the policy stems from political prejudice and a secret police blacklist by the authorities.

111 Suspicion of membership or membership in progressive and left-wing organizations; support for or the subscription of certain political and language newspapers; this has been the sole basis on which these people have been harassed, intimidated, and denied citizenship rights and freedoms.

112 The organizations and newspapers on the Ottawa blacklist are lawful and engaged in community service. Many of these societies and journals are incorporated under the law, own extensive community properties, pay taxes, and participate in the public and cultural life of the country.

113 None of the organizations and newspapers concerned were ever in sympathy or supported the enemy in the last war. On the contrary, they all played a modest but active role in the national war effort, and many of their members and friends served in the armed forces and saw action overseas.

114 Through the years, and under a succession of governments, the state has displayed excessive political prejudice against these organizations, their members and friends. In developing the system of harassment and intimidation, the authorities adopted police-state tactics against many foreign born who were vulnerable to pressures on the citizenship issue. They created, and have since maintained, a category of second-class citizens — all those who are denied equality of political rights, and who are deprived of all access to redress through due process of law.

115 The nature of the discrimination is clear. What is involved here is the right of people to think as their conscience dictates; to associate with those of similar views and beliefs; to read newspapers

and literature of their preference; and to participate in the activities and membership of organizations of their own choice.

116 What is fundamentally at issue is freedom of thought, speech, press and association. The discriminated are victims of a deliberate policy of intimidation that seeks to frighten people away from participation in the activities and membership of many cultural, educational and fraternal societies.

117 This is not a problem for the "foreign born" alone, although even if this were so it would still deserve the attention of all those who believe in justice and equal rights. But once people are denied their basic Right of Citizenship because they belong to progressive organizations and read lawfully published newspapers, then the freedom of every Canadian to think and act in accordance with his conscience is in grave danger.

118 The Commission on Human Rights of the United Nations has a Sub-Commission on Prevention of Discrimination and Protection of Minorities. A study of discrimination in the matter of political rights was suggested to this important Sub-Commission as far back as its 1952 session and was later undertaken. This study gathered material from the Governments of States Members of the United Nations and of specialized agencies and organizations and this material was supplemented by reference to the writings of recognized scholars and scientists. The Report of this Study, published in November, 1961, makes the significant point\*:

"In the modern world, political rights are regarded as human rights — the equal and inalienable rights of all members of the human family which should be protected by law. These rights are set forth in the Universal Declaration of Human Rights, proclaimed by the General Assembly of the United Nations on December 10, 1948, as a common standard of achievement for all peoples and nations".

119 This Report further declares\*\*:

"The mutual relationship between political rights on the one hand and economic, social and cultural rights on the other

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\* page 13 of the said Report

\*\* pages 13 and 14 of Report

hand become clearly apparent when the material collected for the study is surveyed and analyzed. One sees that the partition of these human rights is a conventional one, and that it is impossible to classify them in a hierarchy of values. The effective exercise of political rights is a means of attaining all other rights and freedoms. Thus the eradication of discrimination in respect of these rights may be viewed as a way and perhaps even the most effective way — of suppressing other forms of discrimination and helping all peoples to enjoy their human rights and fundamental freedoms.”

/20 We submit that fundamental human rights are indivisible. The denial of citizenship rights as a result of arbitrary political prejudice is, in a real sense, a denial of equality in the matter of all rights. This is how our Council placed the issue of citizenship rights before the Canadian people, parliamentarians, and four successive Ministers of Citizenship and Immigration since 1962.

/21 While there has been no abandonment of this iniquitous policy, there has been a slight relaxation in its application. Quite a number of those previously discriminated have now been granted citizenship, and many others anticipate receiving theirs shortly. While this is a change in the right direction, it is far from what is needed.

/22 In our Memorandum to the Minister of Citizenship and Immigration, adopted by the National Conference on Citizenship Rights in Ottawa, October 28-29, 1962, we urged the following measures:

- “1. That the Minister immediately undertake a review of all applications for citizenship which have been rejected, because of the political beliefs or associations of the applicant, and that remedial action be taken.
- “2. That the processing of applications for citizenship be removed from the R.C.M.P. and placed in the hands of a non-police agency.
- “3. That the Act and the regulations be amended to provide for due process of law, including a fair hearing in accordance with the principles of fundamental justice, full opportunity of defence against accusations, confrontation



with all witnesses, and evidence and the right of appeal to an appeal court.

- "4. That written reasons for a refusal of citizenship shall be given to the applicant.
- "5. That the Act and regulations be amended to comply with the Canadian Bill of Rights and including the provision that there shall be no discrimination against applicants for citizenship because of their exercise of free speech, free assembly and association, and freedom of the press.
- "6. That the fundamental right to citizenship, subject only to the applicant meeting requirements, as to minimum age and residence, etc., and the applicant being clear of any court record of a serious criminal offence, shall be specifically incorporated into the Canadian Bill of Rights and declared to be a constitutional right by making such a Bill of Rights part of the proposed Canadian Constitution."

/23 We feel that these measures, implemented without delay, can help to wipe out the terrible injustices against so many foreign born. This shameful situation can no longer be tolerated by the enlightened members of the national group communities, nor by the people as a whole.

/24 This applies with equal force to the government's secret blacklist of certain organizations. This blacklist, made up of progressive and left-wing organizations, has been in effect for many years. It was established by the cabinet in Ottawa during the first years of the cold war.

/25 This blacklist has been used as an excuse for police harassment of individuals; for the denial of citizenship rights; for the intimidation of cultural groups and events; the refraction of cultural growth within and outside the communities; and for the obstruction of cultural exchanges.

/26 The blacklist, unlike the citizenship issue, directly affects the Canadian born as well as the immigrants.

/27 Not only does it violate the rights of lawfully constituted societies — organizations with long and honourable records of service

in their communities, but the blacklist inhibits and restrains the cultural activities and potential of both immigrant and native born members.

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/28 These are the extreme examples of the discrimination now in force as a matter of state policy.

/29 An end to this policy of discrimination is a prerequisite for a stronger "contribution by other ethnic groups to the cultural enrichment of Canada" and as one of "the measures that should be taken to safeguard that contribution".

/30 Our Council is mindful of the ever-present need for vigilance against all forms of discrimination that deny or restrict political, economic and civil rights. We believe, in the words of the U.N. Commission on Human Rights, that "the effective exercise of political rights is a means of attaining all other rights and freedoms".

/31 The national groups are presently faced with the challenge of enlarging their contribution to Canada's second century. The challenge will only be met if there are certain basic changes in attitudes inside and outside these cultural communities.

/32 It is time to put an end to the caricature of the national groups as blocs of cold war votes and instant anti-communism on the one side, and as festering foreign conspiracies on the other. We hold the politicians and opportunists responsible for this twisted image of the ethnic groups. They have corrupted the concept, distorted the cultural values, and fettered the creative potential of these groups. They cynically exploit the cultural aspirations of these communities for political favours — and always at the expense of the cultural enrichment of the country.

/33 There is a great need to re-establish a true sense of values and purpose in the creative life of these communities, and to elevate their role within the general process of a burgeoning democratic culture. This will not be achieved without an end to political and other forms of discrimination.

/34 Every assistance must be given to the national groups which seek to fulfill their cultural requirements at the same time as they enrich Canadian life as a whole.

/35 Many ethnic leaders see language as the key to this development. They place primary emphasis on the mother tongue of the family and as second only to the English language itself. This view is most sharply expressed in Western Canada. In this area of English Canada, where the national groups comprise substantial numbers of the population, the idea is afoot that the French wish to impose their language on all Canadians. Certain voices in the public debate are now demanding that if there is to be a second compulsory language, in addition to English, then it must be the language of ethnic origin. The French language is arbitrarily dismissed, and national priority is given to the language of an ethnic group.

/36 Once we recognize that the modern Canadian state is bilingual, then it follows that every Canadian should, in addition to the language he is using, be encouraged to learn the other. This would enable Canadians to live better and more productively as citizens of a united Canada. It would provide the people with dual lines of communication and dual access to each other's culture.

/37 It would also mean that members of the English Canadian community in French Canada, and those of the French Canadian community in English Canada, would enjoy the right to conduct their affairs in their own language.

/38 Our Council considers it within the democratic rights of the ethnic groups to preserve and exercise their language of origin, as a means of enjoying their cultural heritage. We further suggest that the desire of Canadians to learn the language of their forefathers, or any languages other than English and French, should be met within the secondary schools and universities where justified and practical. Such language studies should be encouraged through academic credits.

/39 The Federal Government should establish a policy of grants that would assist national groups (their artists, writers, composers, and organizations) in the development of various cultural projects of historical significance for the communities and the country as a whole (such as the 75th anniversary of Ukrainian immigration to Canada in 1966; the 100th anniversary of Canadian Confederation in 1967; and



so on.) It should also provide better access to the mass communications media (as television and radio) for important cultural contributions of the national groups. One example of the present situation is the 150th birthday anniversary of the world-renowned poet, Taras Shevchenko, which was largely ignored by the networks in this country — although it was of direct interest to one million Canadians of Slavic origin. This birthday anniversary in 1964, like that of Shakespeare, was listed by UNESCO for world-wide observance. While the Bard of Avon was properly honoured, the Bard of Ukraine was almost completely ignored.

140 Our country is living through a severe constitutional crisis. "The crisis is real," a political scientist from McGill University assured the annual conference of Learned Societies. 2,000 of Canada's leading historians, political scientists, economists and law teachers discussed the new strains on the constitution at this meeting and talked about a wide range of problems within the structure of Canadian federalism.

141 The severity of this crisis is now generally admitted. It is no exaggeration to say, as more and more Canadians are saying, that upon its solution hangs the future of a united, independent and democratic Canada.

142 Those in power feel that this crisis can be resolved through the repatriation of the British North America Act. It would open the way, they claim, for considerable amendment of its provisions. This kind of thinking was implied in the Canadian House of Commons, in the debate on a resolution petitioning the Queen to ask British Parliament to amend the B.N.A. Act so that the Federal Government can include survivor and disability benefits in the Canada Pensions Plan.

143 In his speech the Prime Minister confessed that the practice of amending the B.N.A. Act was "strangely out of date and indeed inappropriate". He told the Members that "if the procedure is anomalous, as it is, and if indeed in a sense it is humiliating to go to another Parliament to ask them to do something of this kind for us, it is a self-inflicted humiliation". What he omitted to say, and what we add here, is that it is also a self-propagated affliction.

144 The Leader of the Official Opposition described the situation as "one of the unique ironies of Canadian history" that the Commons should suspend the flag debate in order to debate a request upon British Parliament to amend the B.N.A. Act.

145 We are about to acquire a flag and anthem of our own. 97 years after Confederation, we are on the verge of proclaiming the symbols of our nationality. But the time has also come when our country should have a constitution that is a true Canadian expression of the democratic values of our society. We are convinced this can not be achieved by repatriation and amendments. It is too little and too late.

146 We favour a new constitution that will recognize the reality of the two-nation state within the larger, all-Canadian domain. While guaranteeing the equality of rights for French and English Canada, including their right of national self-determination, it would also ensure the basic rights of all citizens regardless of their origin, colour and creed.

147 Such a fundamental law would have to incorporate a Bill of Rights that outlaws discrimination because of ethnic origin; that establishes the right to citizenship as a constitutional right; and that protects the right of all national groups to cultivate the traditions and language of their forefathers, including the right of voluntary association for this purpose. We also feel that there should be specific recognition of the identities of the Indian and Eskimo peoples, with provisions for the right of self-government in those areas where they comprise the majority of the population.

148 We believe that a new Canadian constitution would enable the peoples of English and French Canada to come together in a unity of purpose and in a spirit of friendship — willing and capable of solving the political, economic and social problems that beset them. We are convinced that only such a relationship can create the conditions that will help us to end the U.S. domination of our economic and political life.

149 Finally, we propose the convocation of a Constituent Convention to draft a new constitution. Such a convention would be called on the basis of equal representation from both nations, and conducted in accordance with the principle of unanimity. Once the draft was ready and agreed upon, it would be submitted to a plebescite of the people for their decision.

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150 While there are reasons for concern with the developing crisis in Confederation, there is no cause for defeatism. There is nothing in

the situation that the people of Canada cannot fix. History has shown that our two nations can live side by side, and that the peoples of French and English Canada have shared great struggles and victories in the past. There is every reason to expect that they will unite in resolving the conflicts of the present and future.

157 Our Council believes the national groups can contribute substantially to the climate of understanding in the land, and to the growth and enrichment of a united Canada in her second century. It is a responsibility we share with all other Canadians.

All of which is respectfully submitted...

Mitchell J. Sago  
on behalf of the  
CANADIAN COUNCIL OF NATIONAL GROUPS

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Toronto.





